

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of New York

Case number (if known): _____ Chapter 7☐ Check if this is an amended filing**Official Form 105****Involuntary Petition Against an Individual**

12/15

Use this form to begin a bankruptcy case against an individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against a non-individual, use the *Involuntary Petition Against a Non-individual* (Official Form 205). Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed**1. Chapter of the Bankruptcy Code**

Check one:

☒ Chapter 7☐ Chapter 11**Part 2: Identify the Debtor****2. Debtor's full name**Santo

First name

Middle nameBarretta

Last name

Suffix (Sr., Jr., II, III)**3. Other names you know the debtor has used in the last 8 years**Sam Barretta, Santo Barretta, SantosBarretta, Santo P. Barretta

Include any assumed, married, maiden, or trade names, or *doing business as* names.

4. Only the last 4 digits of debtor's Social Security Number or federal Individual Taxpayer Identification Number (ITIN)☒ Unknown

XXX - XX - _____

OR 9 XX - XX - _____

5. Any Employer Identification Numbers (EINs) used in the last 8 years☒ Unknown_____
EIN_____
EIN

Debtor

Barretta, Santo

Case number (if known) _____

6. Debtor's address

Principal residence

Mailing address, if different from residence

707 John Street

Number Street

Number Street

BaldwinNY11510

City

State

ZIP Code

City

State

ZIP Code

County

Principal place of business

Number Street

City

State

ZIP Code

County

7. Type of business

☒ Debtor does not operate a business

Check one if the debtor operates a business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ None of the above

8. Type of debt

Each petitioner believes:

- ☐ Debts are primarily consumer debts. *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."
- ☒ Debts are primarily business debts. *Business debts* are debts that were incurred to obtain money for a business or investment or through the operation of the business or investment.

9. Do you know of any bankruptcy cases pending by or against any partner, spouse, or affiliate of this debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____

District _____ Date filed _____ Case number, if known _____

MM / DD / YYYY

Debtor _____ Relationship _____

District _____ Date filed _____ Case number, if known _____

MM / DD / YYYY

Debtor

Case number (if known)

Part 3: Report About the Case**10. Venue**

Reason for filing in this court.

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor has resided, had the principal place of business, or had principal assets in this district longer than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.
- ☐ Other reason. Explain. (See 28 U.S.C. § 1408.) _____

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying such debtor's debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
- ☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?☒ No

- ☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

13. Each petitioner's claim

Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
APC River Partners LLC 1133 Broadway, Suite 708 New York, NY 10010-8065	Judgment entered 10/7/16 (NY Sup. Ct., Suffolk Cty) (amount as of entry)	\$ 2,504,421.37
APC claims interest from date of entry of judgment at 9% p.a.		\$ _____
		\$ _____
Total		\$ 2,504,421.37

If more than 3 petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's (or representative's) signature under the statement, along with the signature of the petitioner's attorney, and the information on the petitioning creditor, the petitioner's claim, the petitioner's representative, and the attorney following the format on this form.

Debtor Barretta, Santo

Case number (if known) _____

Part 4: Request for Relief

Petitioners request that an order for relief be entered against the debtor under the chapter specified in Part 1 of this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached.

Petitioners declare under penalty of perjury that the information provided in this petition is true and correct. Petitioners understand that if they make a false statement, they could be fined up to \$250,000 or imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152 and 3571. If relief is not ordered, the court may award attorneys' fees, costs, damages, and punitive damages. 11 U.S.C. § 303(i).

Petitioners or Petitioners' Representative

X Jamil Simon
Signature of petitioner or representative, including representative's title
President American Properties Corporation, Manager of APC River Partners, LLC
Printed name of petitioner
Date signed 11/30/2016
MM / DD / YYYY

Mailing address of petitioner

1133 Broadway, Suite 708
Number Street
New York NY 10010
City State ZIP Code

If petitioner is an individual and is not represented by an attorney:

Contact phone _____
Email _____

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

Attorneys

X Paul A. Levine
Signature of attorney

Paul A. Levine
Printed name

Lemery Greisler LLC
Firm name, if any

50 Beaver Street

Number Street

Albany

NY

12207

City

State

ZIP Code

Date signed 12/1/16
MM / DD / YYYY

Contact phone 518 433-8800

Email plevine@lemerygreisler.cc

Debtor Warner, Sara L.

Case number (if known) _____

X

Signature of petitioner or representative, including representative's title

Printed name of petitioner

Date signed MM / DD / YYYY**Mailing address of petitioner**

Number Street

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

X

Signature of Attorney

Printed name

Firm name, if any

Number Street

City State ZIP Code

Date signed MM / DD / YYYY

Contact phone _____ Email _____

X

Signature of petitioner or representative, including representative's title

Printed name of petitioner

Date signed MM / DD / YYYY**Mailing address of petitioner**

Number Street

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

X

Signature of Attorney

Printed name

Firm name, if any

Number Street

City State ZIP Code

Date signed MM / DD / YYYY

Contact phone _____ Email _____